GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:167
ANSWERED ON:04.12.2014
INDIAN LEGAL SERVICE AND STATE JUDICIAL SERVICES
Chinnaraj Shri Gopalakrishnan

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court has recently given direction for creation of additional posts under State Judicial Services and if so, the details thereof;

(b) the follow-up action taken thereon including the number of additional posts created in each State;

(c) the number of candidates appointed under the Indian Legal Service (ILS) during each of the last three years and the current year; and

(d) whether the Government proposes to increase the number of posts under ILS and if so, the details thereof?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) of LOK SABHA STARRED QUESTION NO. 167 FOR ANSWER ON 04TH DECEMBER, 2014.

(a) and (b): The Supreme Court, in the case of Imtiyaz Ahmed versus State of Uttar Pradesh & Others, inter-alia, asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. The Law Commission, in its 245th Report, titled "Arrears and Backlog: Creating Additional Judicial (wo) manpower", inter-alia, recommended 'Rate of Disposal Method' for calculating adequate judge strength for District and Subordinate Courts. The other recommendations of the Law Commission in the Report include increasing the retirement age of judges of subordinate courts, creation of special morning and evening courts for traffic / police challan cases, provision of adequate staff and infrastructure for the working of additional courts and enabling uniform data collection and data management method by High Courts in order to ensure transparency and to facilitate data based policy prescriptions for the Judicial System.

As the subject matter of creation and filling up of posts in subordinate judiciary falls within the domain of State Governments and High Courts, the recommendations of the Law Commission have been forwarded to them. Supreme Court vide its orders dated 01.05.2014, 20.08.2014 and 12.11.2014 has directed State Governments and High Courts concerned to file their response in the matter before them.

(c) The position of appointment in Indian Legal Service (ILS) during last three years and the current year is as under:-
No of appointments made in ILS during 2011 2012 2013 2014 9 18 19 4
(d) A proposal for creation of 20 posts in the Legislative Counsels' Service Cadre is under consideration.